

Remarks

Reconsideration of this Application is respectfully requested. Claims 13, 16, 17, 20-22, and 38-44 are pending in the application, with claims 13, 17, 20, and 43 being the independent claims. Claim 13 is sought to be amended.

Independent claim 13 and its dependent claims 16 and 38 were rejected under 35 U.S.C. § 103(a) over US Patent No. 5,611,052 to Dykstra *et al.* ("the '052 patent") in view of Official notice taken by the Examiner. Examiner further stated that claims 13, 16 and 38 include "insurance or warranty functionality" and the Examiner chose "insurance" to reject claims 13, 16 and 38. Applicants respectfully traverse the rejection. Applicants have amended independent claim 13 to delete "insurance" and include only "warranty functionality". Claims 16 and 38 depend from claim 13. Accordingly, it is requested that the rejection of claims 13, 16 and 38 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

Claims 17, 20-22 and 39-44 were rejected under 35 U.S.C. § 103(a) over the '052 patent in view of the Barnett Dealer Financial Service article ("the Barnett article"). Applicants respectfully traverse the rejection. The subject matter of the Barnett article that relates to Credit Connection and Credit Connection Lender Link (products offered by Credit Management Solutions Inc. (CMSI)) was invented by the Applicants. Therefore, this article cannot not be used against them since this article describes the inventors' own work. See MPEP 716.10. "Under certain circumstances, an affidavit or declaration may be submitted which attempts to attribute a reference or part of a reference to the applicant. If successful, the reference is no longer applicable." *See also In re DeBaun*, 687 F.2d 459, 463, 214 U.S.P.Q. 933, 936 (CCPA

1982) (holding that an uncontradicted "unequivocal statement" from the applicant regarding the subject matter disclosed in an article or patent will be accepted as establishing inventorship).

Declarations signed by all of the inventors are filed with this reply. These declarations establish that James DeFrancesco, Scott L. Freiman, James C. Alsobrook, Steven Terpening, Andrew L. Mayers, Edward T. Mullin, Brian S. Fritsche, Michael DiClaudio, Michael D. Brune and Kristie W. Scott are the joint inventors of the subject matter described and claimed in the above-captioned patent application. Furthermore, these declarations establish that the subject matter disclosed in the article cited by the Examiner was derived from the work of James DeFrancesco, Scott L. Freiman, James C. Alsobrook, Steven Terpening, Andrew L. Mayers, Edward T. Mullin, Brian S. Fritsche, Michael DiClaudio, Michael D. Brune and Kristie W. Scott.

Since the filing date of the instant application is September 3, 1997, and thus less than one year from the publication date of the Barnett article, Applicants respectfully request that the rejection of claims 17, 20-22 and 39-44 be withdrawn.

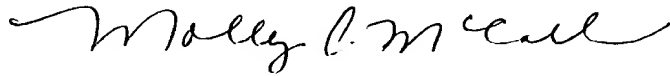
Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment is respectfully requested.

Respectfully submitted,

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Version With Markings to Show Changes Made

In the Claims:

Please amend claim 13 as follows:

13. (Thice Amended) A computer based method of managing a credit application in a system including a central processor coupled to a communications medium for communicating with a remote application entry and display device that allows entry of the credit application, a remote credit bureau terminal device, and a remote funding source terminal device, the method comprising the steps of:

receiving credit application data from the remote application entry and display device;

obtaining credit report data from at least one remote credit bureau terminal device;

selectively forwarding the credit application data and the credit report data to at least one remote funding source terminal device;

forwarding funding decision data from the at least one remote funding source terminal device to the remote application entry and display device; and

providing [insurance or] warranty functionality to the remote application entry and display device.